

**MOTIONS FOR NEW TRIAL/MOTION TO VACATE JUDGMENT — Rule 24.2(b) —
Matters previously decided — Revised 11/2009**

Rule 24.2(b), Ariz. R. Crim. P., states that the trial court may deny a defendant's motion to vacate judgment "on the grounds that the matter has already been decided." The Comment to Rule 24.2(b) states, "Section (b) permits the court to deal summarily with motions made on grounds that it has previously adjudicated. But the section is not intended to have an absolutely preclusive effect; the trial court may re-hear and re-decide an issue, if it deems the expenditure of time warranted."